

File # 2.2123.0203  
Reg. #2056

JAN 15 2020

Mr. John MacLellan  
Corner Brook Pulp and Paper Ltd.  
1 Mill Rd.  
Corner Brook, NL  
A2H 6J4

Dear Mr. MacLellan:

**RE: Baker's Brook Rock Quarry Expansion – Registration 2056**

Your proposal has been reviewed by an interdepartmental environmental assessment screening committee and an opportunity to comment has been provided to the public as required by Part X of the Newfoundland and Labrador *Environmental Protection Act*, SNL 2002, cE-14.2. Please be advised that this undertaking is **released** from further environmental assessment subject to the following conditions:

- The proponent must prepare and submit an Environmental Protection Plan (EPP) for the construction and operation phases of the undertaking to be approved by the Minister of Municipal Affairs and Environment prior to construction. The EPP shall include, but not be limited to:
  - A blasting operations plan that meets the Standard Terms and Conditions of a quarry permit, and which also includes the notification process to nearby residents, methods for monitoring and dampening blast vibrations, methods for controlling fly rock and dust, video recording of each blast for fly rock assessment, and a pre-blast survey. The pre-blast survey must include a determination of the impact of blasting on the Town of Hughes Brook water supply reservoir dam. This determination must be supported by a geotechnical/seismic assessment conducted by a qualified geotechnical engineer. The blasting operations plan shall also commit to notifying the Occupational Health and Safety Division – Corner Brook Office (709-637-2946), prior to the day of any blasting activity.
  - Control measures to reduce dust generation from all quarry operations.
  - Control measures to mitigate noise from the site to surrounding areas.
- The proponent must submit a viewscape management plan that systematically evaluates visibility of the proposed quarry from all locations of potential concern, including locations within the Town of Hughes Brook. This plan must be reviewed and approved by the Department of Natural Resources prior to any construction activities. Depending on the results of the viewscape management plan,

modifications to the quarry development plan may be required. For the requirements of this plan, please contact the Department of Natural Resources at (709) 729-5748.

- No vegetation clearing is to occur within 800 metres (m) of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and 200m during the remainder of the year. The 200m buffer also applies to all other raptor nests (e.g. Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, Northern Saw-whet Owl). The location of any raptor nest site must be reported to the Department of Fisheries and Land Resources, Forestry and Wildlife Branch, Wildlife Division. Please call (709) 637-2025.
- A minimum 30-metre undisturbed vegetated buffer is required along all waterbodies and wetlands that appear on a 1:50,000 topo map to protect sensitive riparian and aquatic species, and their habitat.

The Water Resources Management Division of my department advises that a permit is required for any work in any body of water (including wetland) including but not limited to culverts, bridges, diversion channels, etc. They also advise that any effluent or runoff leaving the site will be required to conform to the requirements of the *Environmental Control Water and Sewage Regulations*, 2003. For further information, please contact the Water Resources Management Division at (709) 729- 2295.

The Pollution Prevention Division of my department advises that activities associated with this proposal are subject to the *Air Pollution Control Regulations*, 2004. In addition, you must comply with the *Storage and Handling of Gasoline and Associated Products Regulations*, 2003. You are advised to consider developing a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event. Any spill or leak of gasoline or associated product is to be reported immediately to Service NL by calling the Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089.

The Local Governance and Land Use Planning Division of my department advises that a development permit from the City of Corner Brook is required for this undertaking. You must comply with the conditions of the Mineral Workings Zone, which includes the minimum separation distances of 50m from public highways or streets, 300m from existing or proposed residential development, and 150m from areas that may be developed during the life of the mineral working. For further information, please contact the City at (709) 7637-1666.

The Mines Branch of the Department of Natural Resources acknowledges that you have applied for a quarry permit corresponding to the area of the proposed expansion. You are to adhere to all Standard Terms and Conditions of a quarry permit, which include conditions on blasting, dust control, noise control, etc. For further information, please contact the Mines Branch at (709) 729-5748 or (709) 729-6447. In addition, you are advised

that, although there are no concerns at this time, the proposed project is within an area having potential for oil & gas exploration/production. Furthermore, it is recommended that you consult with Newfoundland and Labrador Hydro and Newfoundland Power to locate any electricity related assets/infrastructure near the project such as dams, to avoid any potential conflict. For further information, please contact the Department of Natural Resources at (709) 729-5811.

The Occupational Health and Safety Division of the Department of Service NL advises that all quarry operations are to be conducted in compliance with the *Occupational Health and Safety Act* and its *Regulations*. In particular, you must comply with all blasting requirements and install and operate wet suppression systems or mechanical suppression systems to address dust generated from drilling, blasting, crushing, loading, and transporting or conveying rock. For further information, please contact the Occupational Health and Safety Division at (709) 729-3275.

The Department of Fisheries and Land Resources advises that the proposed quarry expansion is located within Newfoundland Marten core habitat. Denning of female marten and young occurs from early April to the end of June. Under the provincial NL *Endangered Species Act* and the federal *Species at Risk Act*, marten dens must be protected from damage and disturbance during this time period. For further information, please contact the Department of Fisheries and Land Resources, Forestry and Wildlife Branch, Wildlife Division, at (709) 637-2025.

Environment and Climate Change Canada (ECCC) recommends that in order to avoid nest destruction and to accommodate the breeding season of migratory songbirds and waterfowl, operations should consider nesting locations between April 15 and August 15 in this region. However, as some species protected under the *Migratory Birds Convention Act (MBCA)* do nest outside of this time period, it is the responsibility of the proponent to ensure that project activities are in compliance with the *MCBA* and associated regulations. In addition, no high disturbance activities (i.e. blasting) within 1km of active Common Loon nests should occur during the nesting season (May, June, and July). ECCC also requests that you provide a GIS file of the project boundaries and study area so that the project can be mapped. For further information, please contact (709) 772-4221.

The Department of Fisheries and Oceans Canada advises that if you are conducting work in or near water you should refer to the *Projects Near Water* website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) to get information about how to comply with the fish and fish habitat measures of the *Fisheries Act* and to obtain information on the project review process. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

Although the undertaking, as proposed, is released from further environmental assessment, it is still subject to other legislative requirements. A summary of the comments

received from government agencies during the review is attached to provide an indication of likely applicable permits, approvals and legislative requirements. Please note that you must comply with all relevant legislation and obtain all necessary permits and approvals. You are required to inform this Department of any proposed significant changes to the undertaking.

If you have any questions concerning these matters, please contact Joanne Sweeney, Director (A), Environmental Assessment Division, at (709) 729-0673 or [joannesweeney@gov.nl.ca](mailto:joannesweeney@gov.nl.ca).

Sincerely,



**DERRICK BRAGG, MHA**  
Minister of Municipal Affairs and Environment  
District of Fogo Island-Cape Freels

cc: Eddie Joyce, MHA  
Humber-Bay of Islands